IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5838 of 2007()

CRMP.11068/2007 of J.M.F.C.,CHALAKUDY
CRIME NO.207/02 OF VELLIKULANGARA POLICE STATION

.....

: PETITIONER/ACCUSED NO.3

SUNIL, S/O.MADHAVAN,
KAMATTATHIL HOUSE, KUTTICHIRA VILLAGE,
THRISSUR DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5838 of 2007

Dated this the 26th day of September, 2007

ORDER

Application for regular bail. The petitioner faces indictment in a prosecution under the Kerala Abkari Act. He was allegedly found to be in possession of 5 litres of arrack. The crime was committed in 2002. The petitioner was not available for trial for a long period. He surrendered on 4/9/07. He continues in custody from that date. The learned Public Prosecutor submits that as against the petitioner, there is one more case under the provisions of the Kerala Abkari Act.

2. The learned counsel for the petitioner prays that the petitioner may now be enlarged on bail. The learned Public Prosecutor submits that appropriate conditions may be imposed to ensure that the petitioner shall be available for trial. I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall, until the case against him is finally disposed of, report before the S.H.O., Vellikulangara Police Station, between 5 p.m. and 6 p.m. on the first and third Sundays of all English calendar months.

(R. BASANT, JUDGE)

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